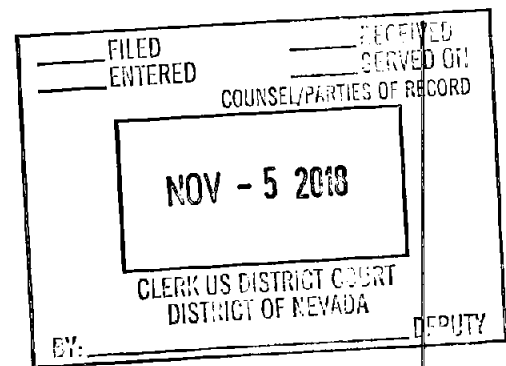


1 *Omar Qazi*

2 N.S.D.C.

3 2190 E. Mesquite Ave.

4 Pahrump, Nevada



12 **UNITED STATES DISTRICT COURT**

13 **DISTRICT OF NEVADA**

14 ***

15 **UNITED STATES OF AMERICA**

16 **Plaintiff,**

Case No. 2:15-cr-00014-APG-VCF

17 **MOTION TO SUBSTITUTE COUNSEL**

18 **v.**

19 *Omar Qazi*

(Oral Hearing Requested)

20 **Defendant.**

22 Certification: This Motion is being filed timely.

23 COMES NOW, *Omar Qazi*, hereby filing this Motion to Substitute Counsel. For the reasons
24 outlined in the attached Memorandum of Points and Authorities, I request that this Court enter an order
25 for a hearing to substitute counsel.

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I.**

3 **ARGUMENT**

4 "The Sixth Amendment guarantees to each criminal defendant 'the Assistance of Counsel for his
5 defence.'" *McCoy v Louisiana*, 584 U. S. ____ (2018). I am asserting my right guaranteed under the
6 Constitution for this Assistance of Counsel so that an assistant can properly assist me, prior to and during
7 sentencing; and also for appeal.

8 I have had a major break in communication with current counsel Telia Williams. First and
9 foremost, the U.S. Probation Office sent me a Notice dated October 11, 2018 that a pre-sentence report
10 had been completed and dislosed to my attorney; and I received this Notice on October 15, 2018. See
11 **Exhibit #1**. Once I received this Notice I diligently requested for a copy from Ms. Williams' Office, but I
12 did not receive the pre-sentence report until October 22, 2018. See **Exhibit #2**. The major dilemma is
13 that there are several issues that need to be discussed prior to filing an objection to this pre-sentence
14 report, and according to the Notice from the U.S. Probation Office this objection was due on October 25,
15 2018. I had also called and left a couple messages with her office to file a continuance for filing the
16 objection. To this day, I am not even informed if a continuance was filed or what our stance is on
17 sentencing.

18 Under these circumstances it is impossible to be prepared in filing the objections to the pre-
19 sentence report, filing a sentencing memorandum, and being fully prepared for sentencing without
20 having this needed communication with counsel. The Court should also note that sentencing is currently
21 set for November 15, 2018, which should obviously be continued for a later date.

22 Ms. Williams was also untruthful with me regarding a case that she wanted to use to "help" me
23 on the "crime of violence" issue. She had told me that a guy by the name of Donald Kinsman was
24 charged and convicted with the same statute that I was convicted for in the past (Battery with Substantial
25 Bodily harm, NRS 200.481) through a reckless driving incident. However, after doing my own research,
26 I learned that Mr. Kinsman was not charged and convicted with the same statute as me, and was actually
27 charged and convicted with Reckless Driving under NRS 484B.653.

28 Thus, I can not trust current counsel for sentencing or for appeals, and request this court to

1 appoint counsel from the Federal Public Defenders Office for sentencing and appeal purposes because
2 their office is currently litigating the identical "crime of violence" issue before the Ninth Circuit in
3 regards to NRS 200.481, and this would be much more efficient and a lesser burden on any appointed
4 counsel from becoming acquainted with these specific legal arguments since the Federal Public
5 Defenders Office is already familiar with this matter.

6 II.

7 CONCLUSION

8 For the reasons mentioned above, I request that the Court enter an order granting an order for a
9 hearing to substitute counsel. I declare under penalty of perjury under the law of the state of Nevada that
10 the foregoing is true and correct, and that this document is executed without the benefit of a notary
11 pursuant to NRS 208.165, as I am a prisoner confined in a private prison within this state of Nevada.

12 Executed on October 29, 2018.

13 Respectfully submitted,

14 All Rights Reserved and Without Prejudice,

15 Omar Qazi

16 Signed: 

EXHIBIT #1

United States District Court

DISTRICT OF NEVADA
PROBATION OFFICE

Chad R. Boardman
CHIEF PROBATION OFFICER

☒ Reply to Las Vegas
Foley Federal Building
300 Las Vegas Blvd. South
Suite 1200
Las Vegas, NV 89101
Tel: 702-527-7300
Fax: 702-527-7345



☐ Reply to Reno
Bruce R. Thompson U.S. Courthouse
400 S. Virginia St.
Suite 103
Reno, NV 89501
Tel: 775-686-5980
Fax: 775-686-5990

October 11, 2018

Omar Qazi
Southern Nevada Detention Center
2190 E Mesquite Avenue
Pahrump, NV 89060

Notice to Defendant

Dear Qazi:

The presentence report ordered by the Court in your case has been completed and disclosed to your attorney. Pursuant to Rule 32, you have until October 25, 2018, to submit objections to the presentence report. Please contact your attorney to make arrangements to review and discuss your presentence report so timely objections may be filed by your attorney if needed.

Respectfully submitted,

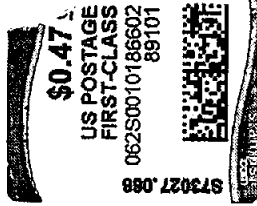
/s/

Matthew J. Holden
United States Probation Officer

U.S. PROBATION OFFICE
300 LAS VEGAS BLVD., SOUTH, SUITE 1200
LAS VEGAS, NV 89101-5813

OFFICIAL BUSINESS

LAS VEGAS
NV 890
12 OCT '18
PM 3 L



9/22/23

00712000

89060-342790

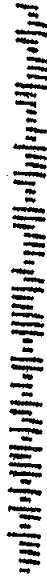


EXHIBIT #2

LAW OFFICE OF TELIA U. WILLIAM
10161 Park Run Drive, Suite 150
Las Vegas, Nevada 89145



BA 202 B

POSTAGE
PAID

DEC 22 2018

OMAR QAZI
Federal Detainee
Southern Nevada Detention Center
2190 East Mesquite Road
Pahrump, Nevada 89060

LEGAL MAIL

Please open in
presence of inmate.

4

CERTIFICATE OF SERVICE

I hereby certify that on October 29, 2018, I mailed my Motion to Substitute Counsel, to the following:

Clerk of the Court
Lloyd D. George U.S. Courthouse
333 Las Vegas Blvd. South, Rm. 1334
Las Vegas, Nevada

Omar Qazi

N.S.D.C.

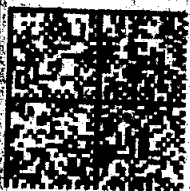
2190 E. Mesquite Ave.

Pahrump, Nevada

Omar Qazi
N.S.D.C.

2190 E. Mosquito Ave
Pahrump, Nevada

Correspondence originated from a detention facility. The facility is not responsible for the contents herein



US POSTAGE
\$01.42
First-Class
Metroid From 89060
10/30/2018
032A 0061838671

FILED	RECEIVED
EXTENDED	RECEIVED BY
NOV - 5 2018	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: DEPUTY	

C/o: clerk of the Court
Lloyd D. George U.S. Courthouse
333 Las Vegas Blvd. So. - Rm. 1334
Las Vegas, Nevada [89101]